

ACT OF DEDICATION OF SERVITUDE(S)

BE IT KNOWN, that on this ____ day of _____, 20____ before me, the undersigned Notary Public, duly commissioned and qualified as such in and for the aforesaid Parish and State, and in the presence of the undersigned competent witnesses, personally came and appeared:

who, after being first duly sworn, did depose and declare that:

Appearer is the owner of certain property more fully described as follows, to wit: That certain parcel of ground, together with all improvements thereon, and all rights, ways, privileges, servitudes, advantages and appurtenances thereon and thereunto appertaining to be known and declared as _____ Subdivision, Phase _____, located in the City and/or Parish of Lafayette as shown and set forth in that certain plat of survey prepared by _____, Registered Land Surveyor, dated the _____ day of _____ 20____, a copy of which is attached hereto and made a part hereof.

Appearer has submitted the hereinabove referenced plat of survey to the Lafayette City-Parish Department of Planning, Zoning and Codes in order to have plat approval issued by said Department. In connection therewith and in order to obtain such approval, Appearer does by these presents dedicate, create and establish exclusively in favor of the City-Parish, for the ultimate benefit of the public and any other persons, entities or estates who are given authority by the City-Parish to use same or who as a result of this dedication may derive any benefit therefrom, any and all rights of way, rights of passage, utility servitudes, drainage servitudes, and all other items shown on the plat of survey referenced herein.

Appearer declares that in connection herewith, Appearer grants a perpetual predial servitude(s) in favor of the City-Parish and such other persons, entities or estates who are given authority by said Government to use the servitudes, rights of passage, rights of way and other items shown on the attached plat of survey, or who may as a result of this grant of servitude derive any benefit therefrom, and in connection therewith agrees that the City-Parish and any such individuals, entities and estates as are authorized by the City-Parish shall have access to said servitudes for the purpose of constructing, repairing, maintaining, upgrading, improving or otherwise operating any and all utility, drainage and other improvements, and in connection therewith, may, within the confines of said servitudes as shown on the plat, clear brush, trees and other items or obstacles as may interfere with the free use of said servitudes; construct drainage, electric, sewer, and water and other utility facilities; remove all obstacles which would hamper or preclude the exercise of the servitude; and otherwise have full access for the purpose of utilizing and maintaining the servitudes and any improvements hereafter or heretofore constructed therein, or thereon. Appearer agrees to provide for the perpetual maintenance of any and all drainage ditches, including roadside ditches and other sewage receptors of effluent and other discharges from any and all sewer systems, to the extent they have not been accepted for maintenance by Lafayette Consolidated Government, on the property within the subdivision and to perform and have performed all actions necessary to maintain, clean, clear or improve said waste water discharge as necessary and/or required by law.

In connection with the exercise of the use of the servitudes created hereby, the City-Parish, for the ultimate benefit of the public and any other persons, entities or estates, shall have such access as is appropriate or reasonably necessary, both within and without the actual confines of the servitudes, as same are shown on said plat, to access said servitudes in order to maintain same, improve same, construct appropriate improvements, structures and appurtenances with regard thereto, in accordance with the relevant provisions of the Louisiana Civil Code, and in particular Article 745 thereof.

The purpose of this Act is to dedicate to the City-Parish, for the ultimate benefit of the public, all utility servitudes, rights of way and other matters as reflected on the plat of survey and to provide for the use and enjoyment of same by the public. In that regard, however, this dedication is made in favor of the City-Parish, which will have full authority to regulate the use of said servitudes, rights of way, rights of passage and other items shown on said plat. The servitudes shall be subject to full use by the Lafayette City-Parish Consolidated Government and those authorized by it for the purposes for which they are intended by those having the need or responsibility of providing utilities, drainage or other services to the properties or estates to be serviced or benefited by said servitudes, whether contiguous or not.

THUS DONE AND PASSED on the date first hereinabove written, before me, Notary, and in the presence of the undersigned competent witnesses, after due reading of the whole.

WITNESS:

NOTARY PUBLIC